

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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PAULINE EVANS
3550 HUGUENOT AVENUE
BRONX, NY 10475

CASE: 21 CIV. 10378 (PAE)

Plaintiff

**NOTICE OF
MOTION
PURSUANT TO
FRCP 60(b)(1)(6)**

Vs.

**NEW YORK CITY HEALTH AND HOSPITALS
CORPORATION ("NYCHHC")**
125 WORTH STREET
New York, NY 10013-4006
**NEW YORK CITY HEALTH AND HOSPITALS
CORPORATION LINCOLN ("LINCOLN")**
234 EAST 149TH STREET
BRONX, NY 10451
Defendant(s)

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**PLAINTIFF'S NOTICE OF MOTION FOR RELIEF FROM ORDER OF
THIS COURT MADE ON 04/11/2022 BY JUDGE PAUL A. ENGELMAYER,
U.S.D.J. AND FOR RESTORATION TO THE CALENDAR
DUE TO ERROR/MISTAKE PURSUANT TO FRCP 60(b)(1)(6)**

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD TAKE NOTICE:

THAT, on May 20, 2022, or as soon thereafter as is convenient for the Court,
Plaintiff, PAULINE EVANS, will and hereby does respectfully move for relief
from this Honorable Court to restore this action to the court's calendar and allow


its prosecution due to the fact that Plaintiff diligently and to the best of her abilities made tireless efforts to prosecute this action as against the defendants but was made to appear inactive due to the snail-paced efficiency utilized by New York City Sherriff's Office who were hired to execute the service of the original papers in this action upon the defendants since the day of December 8th, 2021, but only heard back from them on 4/6/2022, after relentless attempts to reach out to them to comply with the Federal Rules Of Civil Practice pertaining to service of process for a new action.

In light of which Plaintiff respectfully and apologetically pleads with the Court to grant this restoration which comes with an unflinching attestation to the court of her permanent intent to always abide by and timely respond to each and every ORDER of this honorable Court to avoid any irreparable damages to Plaintiff's substantive due process rights and for the reasons outlined in the affidavit in support.

This motion is respectfully based on Fed. R. Civ. P. 60(b) (1)(6), on the grounds that highlighted mistakes, omissions and errors. This motion is supported by this Notice and Motion, the attached affidavit of plaintiff in support thereof, and by all other papers filed in this action.

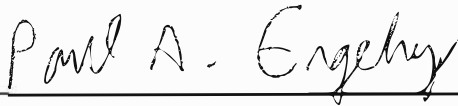
Respectfully Submitted,

DATED: Bronx, New York
4/21/2022

By: 
Pauline Evans, Pro Se
3550 HUGUENOT AVENUE
BRONX, NY 10475

In light of plaintiff's *pro se* status, proof of service at Dkt. 6, and the fact that the Court dismissed this case without prejudice, the Court grants her motion to reopen this case. The Court urges plaintiff to henceforth abide by the deadlines set by this Court and the Federal Rules of Civil Procedure, to be responsive to the Court's orders, and, when necessary, to file requests for extensions on the docket. The Clerk of Court is respectfully directed to close the motion at Dkt. 5, reopen this case, and mail a copy of this memorandum endorsement to *pro se* plaintiff at the address on the docket sheet. SO ORDERED.

Dated: April 25, 2022


PAUL A. ENGELMAYER
United States District Court